

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 5:15 P.M. SEPTEMBER 12, 1995

PRESENT:

Jim Shaw, Chairman
Steve Bradhurst, Vice Chairman
Joanne Bond, Commissioner
Mike Mouliot, Commissioner
Grant Sims, Commissioner

Judi Bailey, County Clerk
John MacIntyre, County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

95-804 WORK CARD PERMIT APPEAL - FRANK R. GABEL

This appeal was considered on Monday, SEPTEMBER 11, 1995, at 1:30 P.M., prior to the Caucus meeting, the Board having convened, with all members of the Board present and Chairman Shaw presiding, to consider the appeal of FRANK R. GABEL from the recommendation of the Sheriff's office to deny his work permit application as a security guard at Sentry Security.

On motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, the Board convened in closed personnel session to hear testimony as to why the work card should be granted. The appellant was present to offer testimony during the closed personnel session as was Debi Williams, Records Section of the Sheriff's office. The Board then reconvened in open session wherein the following action was taken.

On motion by Commissioner Mouliot, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the appeal of FRANK R. GABEL for a work card permit to work as a security guard with Sentry Security be denied.

95-805 WORK CARD PERMIT APPEAL - CURTIS VAN DERSON

This appeal was considered on Monday, SEPTEMBER 11, 1995, at 1:30 P.M., prior to the Caucus meeting, the Board having convened, with all members of the Board present and Chairman Shaw presiding, to consider the appeal of CURTIS VAN DERSON from the recommendation of the Sheriff's office to deny his work permit application as a security guard at Holman Security.

On motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, the Board convened in closed personnel session to hear testimony as to why the work card should be granted. The appellant was present to offer testimony during the closed personnel session as was Debi Williams, Records Section of the Sheriff's office. The Board then reconvened in open session wherein the following action was taken.

On motion by Commissioner Bond, seconded by Commissioner Sims, which motion duly carried, Chairman Shaw ordered that the work card permit for CURTIS VAN DERSON to work as a security guard with Holman Security be granted, subject to charges being dismissed at his October 17, 1995 hearing and the applicant's report of such action to the Sheriff's office. It was further ordered that if the charges are not dismissed, the work card permit would be automatically denied.

This appeal was considered on Monday, SEPTEMBER 11, 1995, at 1:30 P.M., prior to the Caucus meeting, the Board having convened, with all members of the Board present and Chairman Shaw presiding, to consider the appeal of DAVID JONES from the recommendation of the Sheriff's office to deny his work permit application as a security guard at Sentry Security.

On motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried, the Board convened in closed personnel session to hear testimony as to why the work card should be granted. The appellant was present to offer testimony during the closed personnel session as was Debi Williams, Records Section of the Sheriff's office. The Board then reconvened in open session wherein the following action was taken.

On motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that the appeal of DAVID JONES for a work card permit to work as a security guard with Sentry Security be denied.

AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the agenda for the September 12, 1995, meeting be approved with the following amendments: Delete: Items 6, Majestic Marketing Group, Ltd., application for Importers and Wholesale Dealers of Wines, Liquors and Beer; 13.E.(1), (2) and (3), Amendments to Fiscal Year 1995/96 Health Department Budgets; and 17.C, First reading of an Ordinance expanding the congested area to prohibit discharge of firearms.

PUBLIC COMMENTS

There was no response to the call for public comments.

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THE BOARD CONVENED AS THE COUNTY LIQUOR BOARD

95-807 REFUND OF BUSINESS LICENSE FEE - KIM STRAUCH

Upon recommendation of Carla Fells, Business License Division, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that a refund in the amount of \$60.00 be issued to Kim Strauch. It was noted that Ms. Strauch moved her hair stylist business into the City of Reno and inadvertently renewed her Washoe County license.

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THE BOARD RECONVENED AS THE BOARD OF COUNTY COMMISSIONERS

MINUTES

On motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the minutes of the regular meetings of August 8 and 15, 1995, be approved.

95-808 REGIONAL WATER PLANNING COMMISSION - APPLICANT INTERVIEWS AND POSSIBLE APPOINTMENTS

Chairman Shaw conducted interviews with the following applicants for appointment to serve on the Regional Water Planning Commission:

John P. McQuay

Ken Johnson
Michael DeMartini
Peter Krenkel
Byron Bradd
Rodney Sloan

Each candidate was asked whether he was a domestic well owner and each candidate responded that he was not. Commissioner Sims stated that the legislature was very clear in that Washoe County was to appoint one member to represent Washoe County residents and one member to represent domestic well owners. Commissioner Bradhurst agreed and suggested that the Board appoint one individual and an alternate at this time and readvertise for applicants that are owners of domestic wells.

Following further discussion, Michael DeMartini, John McQuay and Peter Krenkel were nominated and following deliberation, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that John McQuay be appointed as a voting member to represent Washoe County residents on the Regional Water Planning Commission; that Peter Krenkel be appointed as the alternate; and that staff readvertise for applicants to represent the domestic well owners.

95-809 APPOINTMENTS - BOARD OF MASSAGE EXAMINERS

Carla Fells, Business License Compliance Officer, presented a brief overview of the creation and purpose of the Board of Massage Examiners.

Following discussion, upon recommendation of Ms. Fells, on motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, Chairman Shaw ordered that the appointment of Janet L. Harris to the Board of Massage Examiners for a term expiring June 30, 1997, be ratified. It was further ordered that Peggy Morin be appointed as an alternate to the Board of Massage Examiners for a term expiring June 30, 1997.

95-810 ACCEPTANCE OF RESIGNATION APPOINTMENT OF NEW MEMBER - BOARD OF TRUSTEES FOR WASHOE COUNTY SENIOR SERVICES

Upon recommendation of Karen Mabry, Senior Services Director, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the resignation of Victor Taylor from the Board of Trustees for Washoe County Senior Services be accepted and that Merwin Stravers be appointed to the Board to fill this vacant position with a term expiring July 1, 1996. It was further ordered that a letter be sent to Mr. Taylor thanking him for his years of service.

95-811 CREATION OF EAST TRUCKEE CANYON CITIZEN ADVISORY BOARD

Upon recommendation of Leslie Roylance, Planning Technician, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following resolution creating the East Truckee Canyon Citizen Advisory Board be adopted and duly executed:

R E S O L U T I O N

WHEREAS, the citizens of the east Truckee Canyon area of Washoe County have expressed a desire for a formal organization through which they can communicate their views and concerns to the Board of County Commissioners; and

WHEREAS, with such an organization, citizens can be kept better informed of decisions and actions of the Board of County Commissioners; now therefore let it be

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, that the East Truckee Canyon Citizen Advisory Board be established under Sections 5.425 to 5.435, inclusive, of the Washoe County Code; and be it further

RESOLVED, that the Citizen Advisory Board's purpose shall be to provide a forum for residents' concerns and to provide on-going

two-way communications between the residents and the Board of County Commissioners; and be it further

RESOLVED, that the Citizen Advisory Board may provide advice on any matter within the Board of County Commissioners' jurisdiction such as land use, zoning, services, budget, taxes and other matters affecting the lives, health, property or well-being of the residents; and be it further

RESOLVED, that the East Truckee Canyon Citizen Advisory Board's geographical area of responsibility shall include the area within Washoe County east of the Sparks Corporate Boundaries, east of the Spanish Springs Citizen Advisory Board's geographical area of responsibility, south and east of the Warm Springs Citizen Advisory Board's geographical area of responsibility and east to the Washoe County boundary line, as more specifically defined on a map placed on file with the Clerk; and be it further

RESOLVED, that the membership of the East Truckee Canyon Citizen Advisory Board shall consist of five members: four appointed by the Board of County Commissioners as At-Large residents of the area and one representing the Pyramid Lake Paiute Tribal Council, and be it further

RESOLVED, that in addition to applications from individuals as described under Sections 5.425 to 5.435, inclusive, of the Washoe County Code, membership nominations may be made by homeowners associations and other neighborhood-based organizations; and be it further

RESOLVED, that the initial terms of office shall officially begin the date the Board of County Commissioners appoint the members, but shall thereafter run from July 1 through June 30 of the appropriate years.

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It was further ordered that staff start recruiting for applicants for this newly created citizen advisory board.

95-812 TRAVEL

On motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the following travel requests and advancement of travel funds be approved:

Name	Department	Destination	Date	Amount
A. Artz	Sheriff	St. Petersburg, FL	09/17/95 - 09/22/95	\$ 696.00
A. Artz	Sheriff	Palm Springs, CA	10/10/95 - 10/13/95	617.00
G. Atkins	Manager	Palm Springs, CA	10/03/95 - 10/06/95	591.30
C. Bond	District Attorney	San Diego, CA	10/08/95 - 10/14/95	1,035.32
D. Brus	Health	Des Moines, IA	10/19/95 - 10/25/95	363.00
D. Butko	Sheriff	St. Petersburg, FL	09/17/95 - 09/22/95	1,137.50
D. Butko	Sheriff	Palm Springs, CA	10/10/95 - 10/13/95	1,029.20
L. Canfield	Sheriff	Coeur D'Alene, ID	10/10/95 - 10/13/95	778.72
E. Carney	Sheriff	Las Vegas, NV	10/22/95 - 10/26/95	348.00
G. Cupp	Health	Boston, MA	09/15/95 - 09/20/95	1,525.09
D. Depoali	Sheriff	Boise, ID	10/01/95 - 10/07/95	224.00
H. Dixon	Sheriff	Las Vegas, NV	10/22/95 - 10/26/95	503.52
K. Erickson	District Attorney	San Diego, CA	10/08/95 - 10/14/95	1,035.32
D. Gallagher	Sheriff	Boise, ID	10/18/95 - 10/20/95	750.00
J. Ganyon	Sheriff	Dallas, TX	10/29/95 - 11/04/95	1,100.00

R. Garretson	Sheriff	Boise, ID	10/01/95 - 10/07/95	614.00
G. Greene	District Attorney	San Francisco, CA	10/08/95 - 10/11/95	912.04
P. Gullihur	District Court	San Antonio, TX	12/02/95 - 12/09/95	1,110.00
M. Haley	Sheriff	Boise, ID	10/01/95 - 10/07/95	224.00
R. Herzig	Juvenile Services	Lexington, KY	10/21/95 - 10/26/95	996.73
R. Hill	Sheriff	Coeur D'Alene, ID	10/10/95 - 10/13/95	460.00
L. Mandik	District Attorney	Las Vegas, NV	09/20/95 - 09/22/95	260.00
L. Mandik	District Attorney	Las Vegas, NV	09/26/96 - 09/27/95	200.00
I. Matthews	Sheriff	Boise, ID	10/18/95 - 10/20/95	750.00
R. Pillon	Sheriff	Boise, ID	10/01/95 - 10/07/95	550.00
L. Pugh	Juvenile Services	Berkeley, CA	09/20/95 - 09/22/95	455.12
F. Whiting	Sheriff	Las Vegas, NV	10/12/95 - 10/16/95	655.00
M. Woolley	Juvenile Services	Lexington, KY	10/21/95 - 10/26/95	976.73

95-813 CHANGE FULL-TIME ATTORNEY POSITION TO TWO PART-TIME ATTORNEY POSITIONS - SENIOR SERVICES

Citing the Board's desire for performance measurements, Commission Sims requested that the number of cases handled, response times, etc., be included in the budget.

Upon recommendation of Lisa Gianoli, Finance Division, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the full-time attorney position (Position #11) for the Senior Law Project at Senior Services be changed to a permanent part-time position at 24 hours per week and that an additional permanent part-time attorney position to work up to 24 hours per week be added.

95-814 RESOLUTION - SPECIAL ASSESSMENT DISTRICT NO. 21 - COLD SPRINGS AREA SEWER - AUTHORIZING EXECUTION OF AN INVESTMENT BANKING SERVICES AGREEMENT

Pursuant to discussion at Caucus, Assistant County Manager Robert Jasper provided additional information regarding the agreement on investment banking services for the Cold Springs Sewer Special Assessment District, which memorandum, dated September 12, 1995 and placed on file with the Clerk, was read into the record by County Manager John MacIntyre.

Following discussion, on motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Shaw be authorized to execute on behalf of Washoe County:

RESOLUTION NO. 95-814

A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA SPECIAL ASSESSMENT DISTRICT NO. 21 (COLD SPRINGS AREA SEWER); AUTHORIZING THE EXECUTION OF AN INVESTMENT BANKING SERVICES AGREEMENT; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the County is authorized to construct and acquire sanitary sewer improvements (the "Project") under Chapter 271 of NRS (the "Act") and to issue Bonds (the "Bonds") to finance the cost of the Project after certain procedural steps required by the Act have been followed; and

WHEREAS, the firm of Stone Youngberg has been providing investment banking services with respect to the Project and the proposed Bonds; and

WHEREAS, certain provisions of AB52 of the 1995 Nevada Legislature which changed the methods which can be used for the sale of bonds, do not apply if there is an agreement for investment banking services with respect to the Bonds in existence prior to October 1, 1995; and

WHEREAS, there is attached to the original resolution placed on file with the Clerk the proposed form of investment banking services agreement between the County and Stone Youngberg.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Washoe County, Nevada:

Section 1. An agreement for investment banking services between the County and Stone Youngberg in substantially the form attached to the original resolution placed on file with the Clerk is hereby approved and the Chairman and Clerk are authorized to execute and seal the agreement on behalf of the County.

Section 2. This resolution shall be effective on passage.

95-815 REFUND OF FEE - DIANE SMITH - REQUEST TO NAME EASEMENT

Upon recommendation of Margaret Spicher, Regional Street Naming Committee, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the \$100.00 fee paid by Diane Smith upon requesting that an existing easement located east off of State Route 341 (Geiger Grade) be refunded, as the committee determined that the easement crosses into Storey County and is already named.

95-816 AUTHORIZATION FOR CAPITAL EXPENDITURE - FEDERAL FORFEITURE FUNDS - POLICE DOG FOR DETENTION BUREAU - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that a capital expenditure from the Sheriff's Federal Forfeiture Account #1514D-7849 to purchase one trained police dog for the Detention Bureau of the Sheriff's Office, in the amount of \$5,500.00, as well as the continuing maintenance costs estimated at \$1,500.00 for the remainder of FY95/96, for a total estimated expenditure of \$7,000.00, be authorized.

95-817 AUTHORIZATION FOR EXPENDITURE OF TRAVEL FUNDS - SPECIALIZED DIVE TRAINING - SHERIFF'S HASTY TEAM

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that an expenditure of travel funds, in the amount of \$1,250.00, to send seven volunteer auxiliary members of the Sheriff's Hasty Team to specialized dive training in Phoenix, Arizona, be authorized.

95-818 RESOLUTION - INCREASING CHANGE FUND AND PETTY CASH FUND - COLLECTIONS DIVISION

Upon recommendation of Bill Berrum, Treasurer, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Shaw authorized to execute:

RESOLUTION Increase Change Fund from \$75.00 to \$200.00 and the Petty Cash Fund from \$25.00 to \$100.00 for the Washoe County Collections Division

WHEREAS, the Board of County Commissioners of Washoe County, pursuant to NRS 354.609, has the authority to create and fund change and petty cash fund accounts; and

WHEREAS, the Washoe County Collections Division has requested an increase in their change fund from \$75.00 to \$200.00 and in increase in their petty cash fund from \$25.00 to \$100.00 to assist in the administration of their office;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA as follows:

1. That, pursuant to the provisions of NRS 354.609, the County Treasurer and the County Comptroller are hereby authorized and directed to take all necessary steps to establish and account for a \$125.00 increase in the change fund (for a total of \$200.00) and a \$75.00 increase in the petty cash fund (for a total of \$100.00) for the Washoe County Collections Division.

2. That the above additional \$200.00 will be transferred from the Washoe County Treasurer's Commercial Bank Account.

3. That said change and petty cash funds be used exclusively for transactions related to the Washoe County Collections Division.

4. That the Collections Division Manager shall henceforth be held accountable for the change and petty cash funds authorized by this resolution.

5. That the County Clerk is directed to distribute copies of this resolution to the Washoe County Treasurer, Comptroller, Collections Division Manager, and the Nevada Department of Taxation.

95-819 RESIDENTIAL GARBAGE REBATE - CURBSIDE RECYCLING PROGRAM - DISPOSAL SERVICES

Howard Reynolds, Assistant County Manager, provided background information; and Tom Green, General Manager of Disposal Services, was present to answer questions of the Board. Mr. Reynolds stated that he would like to commend Disposal Services for not requesting a rate increase during the years the rate of return on recyclable materials was low, noting that it is a very volatile market.

Upon recommendation of Mr. Reynolds, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that a \$4.41 rebate for all residential garbage customers covered by the County's Franchise Agreement with Disposal Services be approved and Disposal Services be authorized to credit this amount on their next quarterly billing in November, 1995.

95-820 CORRECTION OF FACTUAL ERRORS - 1995/96 SECURED TAX ROLL - PERSONAL PROPERTY

Upon recommendation of Thomas Sokol, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Sims, which motion duly carried, Chairman Shaw ordered that 13 unnumbered Roll Change Requests correcting factual errors on tax bills already mailed for the 1995/96 secured roll be approved for the reasons indicated thereon and mailed to the property owner(s), a copy of which is on file in the Clerk's office.

95-821 CORRECTION OF FACTUAL ERRORS - 1995 SECURED TAX ROLL - REAL PROPERTY

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Sims, which motion duly carried, Chairman Shaw ordered that 15 Roll Change Requests Nos. 225 through 239, correcting factual errors on tax bills already mailed for the 1995 secured roll be approved for the reasons indicated thereon and mailed to the property owner(s), a copy of which is on file in the Clerk's office.

95-822 SYSTEM DYNAMICS MODELING PROPOSAL - TRUCKEE MEADOWS REGIONAL PLANNING AGENCY - REQUEST FOR FUNDING

Kris Schenk, Executive Director of the Truckee Meadows Regional Planning Agency, provided background information regarding a proposed System Dynamics Modeling Program to be initiated by the University of Nevada, Reno faculty to assist the local entities in guiding regional growth and understanding the current, as well as future, consequences of the decisions made and policies established. He further stated that he is requesting that Washoe County put up one-third of the \$40,000 cost of the project; and that he has requested the same from the Cities of Reno and Sparks. Mr. Schenk advised that Ted Oleson from the UNR Department of Economics will be heading up the program; and that the \$40,000 price is a tribute to the UNR faculty and their contribution to the community.

In response to Chairman Shaw, Mr. Schenk stated that there will be workshops and that the Board's participation in those is

needed.

In response to Commissioner Bond, Mr. Oleson explained that the model will be integral to the five-year revision of the Regional Master Plan and that, further, what they hope to develop is an understanding of the region as a complete system, the interrelationships, and how decisions made by one entity interact with the others.

Urging his fellow Board members to become involved in this program, Commissioner Sims moved that Washoe County provide the \$13,300, one-third of the \$40,000, for development of a regional system dynamics modeling project and that staff be directed to prepare an item for future Board action transferring these funds from the Contingency account. The motion was seconded by Commissioner Bond. Upon call for the vote, the motion carried unanimously and it was so ordered.

95-823 JAIL MANAGEMENT POPULATION PLAN - DAVID BENNETT STUDY - ADOPTION AND IMPLEMENTATION OF RECOMMENDATIONS - FINANCE

County Manager John MacIntyre reminded the Board that there was a workshop in May at which time the David Bennett Study, including a summary of the jail population management plan, was presented. He stated that this is being brought back to the Board now for action on the recommendations for reducing and managing the jail population contained in that study. Mr. MacIntyre talked at length about the importance of managing the jail population by utilizing all available technologies and programs to keep the inmate population at a minimum while at the same time meeting public safety objectives, recognizing that it is not possible to just keep building more and more jails.

Commissioner Bradhurst agreed and commented that before the County can request taxpayers to approve funding to build another jail facility, it must first prove that every other possible means of controlling the jail population is being used.

David Bennett, Consultant, stated that the problem of jail overcrowding is not going to go away and is not unique to Washoe County as it is a problem all over the country. He stated that the criminal justice community here is committed to coming up with meaningful alternatives, instead of just housing the inmates, such as the Court Services program which is beginning to take effect and have an impact on the system. Mr. Bennett stated that there are a number of other things that could be done to move people through the system faster and he will continue to work on identifying and implementing changes coordinating with the Criminal Justice Advisory Committee, the courts, the District Attorney, the Sheriff and everyone else involved.

In response to Commissioner Sims, Mr. MacIntyre discussed the importance of cooperation and coordination between all concerned departments and the Finance Division.

Following further discussion, on motion by Commissioner Bradhurst, seconded by Commissioner Sims, which motion duly carried, Chairman Shaw ordered that the Jail Population Management Plan from David Bennett be formally accepted; that the Finance Division be authorized to coordinate the implementation of recommendations contained in the study; and that management of the jail population be a cooperative effort by all parties.

95-824 PROFESSIONAL SERVICES AGREEMENT - DAVID BENNETT - JAIL POPULATION MANAGEMENT PLAN AND COURT ASSESSMENT - MANAGER

Pursuant to discussion at Caucus and during the previous item, it was noted that the total cost of the contract with David Bennett will be allocated to the Manager's budget.

Upon recommendation of Brian Mirch, Finance Division, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried with Commissioner Mouliot abstaining, it was ordered that the Professional Services Agreement between Washoe County and David Bennett regarding a Jail Population Management Plan and Court Assessment, in the amount of \$75,500 be approved and that Chairman Shaw be authorized to execute.

95-825 STATUS REPORT - TASK FORCE ON REGIONALIZATION OF LAW ENFORCEMENT SERVICES

Kris Schenk, Executive Director of the Truckee Meadows Regional Planning Agency, updated the Board regarding activities of the

Task Force on Regionalization of Law Enforcement Services, which is chaired by Joe Crowley, UNR President. He described the many groups and subgroups working on various aspects and stated that the work will be completed in January, 1996, at which time a comprehensive set of recommendations will be forthcoming.

On motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that receipt of the status report be acknowledged.

95-826 ABANDONMENT CASE NO. AB6-10-95 - CARL AND ELSIE GIUDICI (APN: 38-661-05)

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on September 1, 1995, and mailed by certified mail to affected property owners on August 31, 1995, to consider the recommendation of the Washoe County Planning Commission to conditionally approve Abandonment Case No. AB6-10-95 requested by Carl and Elsie Giudici to abandon all irrigation easements on Parcel 14 of Belli Ranch Estates, Tract Map No. 2097, which abandonment will facilitate a parcel map. The 16.995-acre parcel is located at 3265 Mario Drive, is designated High Density Rural (HDR) in the Verdi Area Plan, and is situated within Section 15, T19N, R18E, MDM, Washoe County, Nevada. Proof was made that due and legal Notice had been given.

Ron Kilgore, Department of Development Review, provided background information.

Chairman Shaw opened the public hearing by calling on anyone wishing to speak regarding this abandonment. There being no response, the public hearing was closed.

It being the consensus of the Board that NRS 278.840 is being complied with and that the abandonment of the irrigation easements described in the aforesaid Notice appears to be in the best interest of the public and that no person would be materially injured thereby, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that Abandonment Case No. AB6-10-95 be approved subject to the following conditions:

1. Prior to recordation of the Resolution and Order of Abandonment, the applicant shall submit legal descriptions to the County Engineer for review and approval. The legal descriptions shall be prepared by a registered professional and shall be for the area of abandonment, the portion of the abandonment reverting to each abutting property owner, and any required replacement easements.
2. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities which originally accepted and approved said easements as well as any other public utilities now in existence which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements to said public utilities and the relinquishment by said public utilities of their former easements.
3. The applicant shall comply with all conditions necessary to effect the Resolution and Order of Abandonment within two years from the date of the action by the Board of County Commissioners or this conditional abandonment will be null and void.

It was further ordered that upon execution and recordation of the order of abandonment voted herein, the Engineer's Office is authorized to prepare a plat incorporating the changes in question and to duly record same.

95-827 SPECIAL USE PERMIT CASE NO. SPW6-21-95 - HUNTER CREEK WATER STORAGE FACILITY/SIERRA PACIFIC POWER COMPANY - APPEAL (APN: 09-030-05 AND -23)

7:00 p.m. This was the time set in a Notice of Public Hearing to consider the appeal of Dr. John Dooley and Stephen S. Smith from the recommendation of the Washoe County Planning Commission to conditionally approve Special Use Permit Case No. SPW6-21-95, a request by Sierra Pacific Power Company to convert the Hunter Creek Facility, an existing water treatment facility, to a storage reservoir, located at 4900 Ross Drive, southeast of Mayberry Drive and Plateau Road, on a 35.83-acre parcel, designated Public/Semi-Public Facilities (PSP) within the Southwest Truckee Meadows Area Plan, and situated within Section 20, T19N, R19E, MDM, Washoe County, Nevada.

Affected property owners were duly notified by the Department of Development Review on September 1, 1995.

Ron Kilgore, Department of Development Review, advised that staff is recommending that consideration of this appeal be continued to the September 26, 1995, meeting, since there are overlapping appeal periods between this Special Use Permit and Design Review Committee approval of the landscaping plans for the facility.

Commissioner Sims asked what specifically are the appellants protesting.

Mr. Kilgore responded that their appeal letter was not specific.

Commissioner Sims stated that the Board needs to know what the appellant's concerns and issues are.

Chairman Shaw opened the public hearing by calling on anyone wishing to speak regarding this special use permit, but there was no response.

On motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, Chairman Shaw ordered that the public hearing on the appeal of Dr. John Dooley and Stephen S. Smith from the recommendation of the Washoe County Planning Commission to conditionally approve Special Use Permit Case No. SPW6-21-95 be continued to the September 26, 1995, meeting.

95-828 COMPREHENSIVE PLAN AMENDMENT CASE NO. CPA95-NV-01 - JANE ENTERPRISES AND MICHAEL DICKERSON

7:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on September 1, 1995, to consider the Washoe County Planning Commission recommendation to approve an amendment to the North Valleys Area Plan, being a part of the Washoe County Comprehensive Plan, by redesignating Assessor's Parcel No. 87-381-03 (10.74 acres) from General Commercial (GC) to Medium Density Suburban (MDS: max 3 du/1 ac), a 7.0-acre portion of Assessor's Parcel No. 87-381-02 (9.0 acres) from General Commercial (GC) to Medium Density Suburban (MDS: max 3 du/1 ac), and Assessor's Parcel No. 87-381-01 (1.0 acre) from Medium Density Suburban (MDS: max 3 du/1 ac) to General Commercial (GC), with the net change in residential development potential from the amendment request allowing up to 53 new residential dwelling units; the parcels being located on the northeast side of Reno Park Blvd., between Hummingbird Drive and Brant Street, in the Cold Springs Hydrographic Basin, situated in the E 1/2, Section 21, T21N, R18E, MDM, Washoe County, Nevada, and designated as "Suburban" on the Truckee Meadows Regional Plan land use diagram. The Washoe County Planning Commission is also recommending approval of additional administrative changes including modification of the plan horizon from the year 2007 to 2015, adoption of the revised Public Services and Facilities Map, removal of land use designations from parcels annexed into the City of Reno, and various corrections to designate Parks and Recreation and Public and Semi-Public Facilities on the Land Use Map. Proof was made that due and legal Notice had been given.

Dean Diederich, Department of Comprehensive Planning, provided background information, displayed maps of the North Valleys Planning Area on the overhead, and answered questions of the Board.

Chairman Shaw opened the public hearing by calling on anyone wishing to speak. There being no response, the public hearing was closed.

Based on the following findings:

1. The proposed amendments to the North Valleys Area Plan is in substantial compliance with the policies and action programs of the Comprehensive Plan; the proposed amendment is consistent with policies in the North Valleys Area Plan including NV.4.6 and NV.4.9, and Public Services and Facilities Element policies PSF.1.13;
2. The proposed amendments to the North Valleys Area Plan will provide for land uses compatible with existing and planned adjacent land uses, and will not adversely impact the public health, safety or welfare; the proposed change in land use designations from General Commercial to Medium Density Suburban will result in lower overall traffic related impacts upon full development than the currently adopted North Valleys Area Plan;

3. The proposed administrative changes portion of the amendment to the North Valleys Area Plan identifies and responds to changed conditions or further studies that have occurred since the Area Plan was adopted by the Washoe County Commission; the administrative changes respond, in part, to the recent annexation of the Sky Vista area into the City of Reno, and the acquisition of the North Valleys Regional Sports Complex site by the Parks and Recreation Department;

4. The proposed amendments to the North Valleys Area Plan will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Comprehensive Plan;

5. The proposed amendments to the North Valleys Area Plan will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services; the proposed re-allocation of Medium Density Suburban and General Commercial land use designation acreage will not increase the overall demand for public infrastructure and will create a land use pattern which is compatible with the surrounding neighborhood;

6. The Washoe County Planning Commission public hearing, prior to the adoption of the proposed amendment to the North Valleys Area Plan, and the related changes to the text and maps of the plan, has been properly noticed in a newspaper of general circulation in the County as prescribed under NRS 278.210(1);

7. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing; and

8. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Planning Commission and the Washoe County Commission, and information received during the County Commission public hearing, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that Comprehensive Plan Amendment Case No. CPA95-NV-01 be approved. Commissioner Bond pointed out that the North Valleys Citizen Advisory Board did submit comments and concerns that staff should consider.

95-829 ORDINANCE NO. 934, BILL NO. 1109 - AMENDING ORDINANCE NO. 897 CONTINUING THE FIVE-CENT MOTOR VEHICLE FUEL TAX

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on September 1, 1995, to consider second reading and adoption of Bill No. 1109. Proof was made that due and legal notice of hearing had been given.

Celia Kupersmith, Executive Director, Regional Transportation Commission, displayed charts showing \$18.7-million worth of street projects that have been completed with gas tax revenues since April, 1994, when the 5-cents tax was initiated, and a listing of future projects that have been identified as high priority. She also explained how RTC and the other local entities have been working closely together in a strong effort to increase savings through efficiencies and stated that the benefits of that effort are starting to be realized. Ms. Kupersmith stated that it is the goal of RTC to get the roads fixed; that the problem took a long time to develop and will not be corrected quickly; and that she has pledged that RTC will work very hard and very fast to resolve these problems.

Ms. Kupersmith then answered questions of the Board and, in response to Commissioner Bradhurst, explained the process that staffs went through to find revenue sources to fund the backlog of needed road repairs throughout the region. She described the committee that was established, explained how they looked at every kind of tax that already existed, investigated how other jurisdictions fund their road work, and stated that many of the ideas generated cannot be used under current State law; that the regional impact fee is what has been proposed with the idea of new development paying for itself, which is very similar to what is called a development tax in Clark County; and that the gas tax is a true user tax and is also paid by the tourists.

Chairman Shaw opened the public hearing by calling on those wishing to speak for or against the adoption of said ordinance.

Pat Fladager spoke in opposition stating that if the Board approves this, they will be going against the will of the voters who turned it down at the last election; that the people are always given the false impression that the funds will be used for

maintenance, which is not true; and that the Board should visit with the State Tax Commission and the County Tax Collector to see just how much has been collected and how it has been spent. She also stated that fixing the roads has been the goal of the RTC ever since it was formed as the Transit Management Commission in the 1970's.

Roger Long asked why the road work was not done for so long pointing out that a \$660-million shortfall does not occur overnight, stating that the 1/4% sales tax was turned down because the people do not know where the money is going; that people feel the money should be spent on the potholes; that road base should last at least 50 years; and that the people would like an accounting of why such a large shortfall exists and an accountability of how the funds are being spent. Mr. Long asked about the other funds RTC receives in addition to the 5-cents and what that money is spent for; and asked if the reason he sees road crews repairing streets only to return in a few months is because the work was not done correctly or the right materials used. Chairman Shaw advised that he will have Ms. Kupersmith answer his questions after the public comment period.

Fred Berry disputed the figure cited by Ms. Kupersmith that the average cost of this tax will be approximately \$14.00 per year stating that it would cost him a lot more than that; that the advertising has been very misleading in that none of the potholes are going to be fixed with this money; and that the streets have to be so bad that you cannot even drive on them before they get fixed. Mr. Berry also stated that Rock Boulevard on the east side of the airport was a project less than two years ago; that the surface is compromised; that there are dips in the road; that he talked to RTC and was advised that it was designed for 22 years; and that everyday when he drives that road, it really burns him that his tax money was spent like that.

David Howard, representing Reno-Sparks Chamber of Commerce, stated that the Chamber endorses this concept because of the economic viability and because this is a very good step at regionalization of community efforts; and that good roads are important to attract new business and industry to the area.

Bob Tonelli urged the Board to extend the 5-cents to November, 1996, during which time the RTC could really demonstrate how the funds are being spent, and then let the people vote on whether or not this should be a permanent tax. He stated that he has lived here for five years; that some of the same potholes have been here that long, too; and that he feels the people have been "sold a bill of goods."

Susan Lynn, Blue Ribbon Task Force, encouraged the Board to adopt this ordinance stating that the committee worked long and hard; that they believe this is the best solution; and that with the change in administration at RTC and the more regionalized approach, she believes the major problems will be solved.

Steven Brown, Blue Ribbon Task Force, also urged adoption of the ordinance, explaining that in the 1980's the local entities decided to defer maintenance on the streets and that is how the situation got so bad. He stated that extending this tax is the right thing to do to get these roads fixed; and if it is not done, the situation will really be terrible.

Don Nepp stated that construction quality needs to be examined.

Chris Sewell, representing the Verdi Citizen Advisory Board, stated that their Board considered this matter twice; that the first time it was unanimously defeated; and that the second time they had a presentation from RTC at which time they voted 4-3 to keep the tax; that one of the major issues is maintenance; and that a message needs to be sent to the two Cities to "get with it" on maintenance. He cited West McCarran from Mayberry to Caughlin Ranch as another very good example of a very bad road that has major cracking; stated that he has contacted RTC about it, that nothing has been done, and that kind of lack of maintenance is what people see.

Speaking personally, Mr. Sewell stated that letting the voters decide would be a very good idea.

Buzz Allen, Blue Ribbon Committee member, stated that he agrees with the recommendations of the committee; that money is going to have to be spent to maintain the roads properly; and that he is encouraged by the commitments he has seen so far.

Dick Davis, owner of the AM-PM at 600 Kietzke, stated that the taxes collected from him have gone down because his volume has gone

down since the inception of the 5-cents gas tax; that Washoe County gas is more expensive than anywhere else around; and that people who can are going elsewhere to purchase their gas.

There being no one else wishing to speak, Chairman Shaw closed the public hearing.

Ms. Kupersmith addressed the questions and concerns raised stating that one of the reasons for the current situation is, because during the time of very limited resources in the mid-1980's, the City of Reno chose to discontinue putting general fund revenues into road maintenance, as all the entities had always done; that the problem was already developing at that time and quickly accelerated thereafter; and that the majority of the road maintenance problems are in the City of Reno. She further stated that in defense of Reno she does want to advise that the City of Reno is trying to rectify the problem by committing \$10-million over the next two years for pothole patching and local street maintenance. Ms. Kupersmith stressed that any dedicated funds, such as the gas tax, have always been used for the roads; that she does not believe there was any misappropriation; and that it is just that the City of Reno had other priorities for their general fund revenue during that time of limited funds. She further stated that some other reasons for the problem are the tremendous growth that the area has experienced with the developers building new roads but the local entities not having that much additional revenue to maintain the additional miles; that inflation is a factor as the costs to do the work keep going up; and that another factor working against a solution is people are buying more fuel efficient vehicles, which they can drive farther on less gas.

Ms. Kupersmith also explained that the various entities, the City of Reno, the City of Sparks and Washoe County, each have the responsibilities for local street maintenance and routine maintenance in their respective jurisdictions; and that pothole patching is a routine maintenance activity.

She explained that RTC does not do maintenance because State law specifically spells out how the gas tax revenues, which are the only funds that go directly to RTC for road work, can be spent and routine maintenance is not on the list. Ms. Kupersmith stated that originally RTC was envisioned to be the agency that did the new construction and major reconstruction in partnership with the local entities doing the maintenance; that much of this is determined by State law; and that perhaps laws need to be changed in the next legislative session.

Ms. Kupersmith discussed how they are trying to achieve a geographic equity making sure funds are being spent all around the region. She also discussed construction quality noting that one of the foremost experts on asphalt is Dr. John Epps at the University of Nevada and stated that they have been working closely with his group to achieve quality work so that the roads will last as long as they are supposed to; and described how Granite hired their own batch inspector after the RTC sent back truck after truck of inferior asphalt on the Plumb Lane project.

During discussion between the Board and Ms. Kupersmith, a master plan for all road repair and construction with RTC being an information repository whether it's a County, NDOT, Reno, or Sparks road was suggested; and she stated that to further regionalize and consolidate, the RTC will be revising the road construction standards to be used in the region. In response to Commissioner Bradhurst, Ms. Kupersmith stated that of the total \$18.7 million spent on projects in the last couple of years, approximately \$7 million of that was generated by this nickel; and that the RTC has tried very, very hard to make it clear to the public what the 5-cents can be used for and to make it clear that it cannot be used for potholes, but the issue is a very confusing one and the media always seems to put the words "potholes" and "gas tax" together.

Commissioner Sims stated that the public is not well-informed and is not educated on how the tax system works and explained that the gas tax revenues are distributed by the State on a formula set by State law that is totally based on population and miles of road and not based on need as it should be.

He stated that under this current system, Washoe County is getting more and more of this revenue and the Cities less; that Reno has the oldest and most used road system in the region; and that since this is established by State law, it will not change and the situation will not improve until the State law can be changed.

Commissioner Bradhurst reminded everyone that in 1994 when they were approached to initiate this additional gas tax, the Board

agreed to do so on a temporary basis only until the other entities and the development community also committed to solving the problem, which has occurred.

Commissioner Mouliot stated that he is going to vote against this gas tax because these funds will do nothing for the city streets; that in Washoe County there are five different road departments being supported by the taxpayers amounting to hundreds of people and many millions of dollars and regionalization of this effort is long overdue.

Commissioner Bond agreed that this effort needs to be approached regionally and also stated that she believes the people should be allowed to vote on this issue.

On motion by Commissioner Sims, seconded by Commissioner Bradhurst, which motion duly carried with Commissioners Bond and Mouliot voting "no," Chairman Shaw ordered that Ordinance No. 934, Bill No. 1109, entitled, "An Ordinance amending Ordinance No. 897, as amended, by continuing in effect the additional 5 cents per gallon motor vehicle fuel tax and repealing the previously set ending date thereof and providing other matters properly relating thereto," be approved, adopted and published in accordance with NRS 244.100.

It was further ordered that the Regional Transportation Commission appear before the Board of County Commissioners annually with an accounting of how and where the funds are being spent, justifying the costs of projects, explaining why certain projects are chosen, etc.

95-830 ORDINANCE NO. 935; BILL NO. 1110 - AMENDING WCC CHAPTER 40 - ESTABLISHMENT OF A WATER PLANNING COMMISSION; DEFINING REGION FOR THE PURPOSE OF WATER MANAGEMENT; IMPOSING A 1.5 PERCENT FEE ON WATER BILLINGS

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on September 1, 1995, to consider second reading and adoption of Bill No. 1110. Proof was made that due and legal notice of hearing had been given.

Chairman Shaw opened the public hearing by calling on those wishing to speak for or against the adoption of said ordinance.

Mike DeMartini, area resident, spoke in support of adoption of this ordinance, stating that it is a step in the right direction for this hydrographic basin and the Truckee Meadows.

County Manager John MacIntyre read into the record a letter dated September 12, 1995, from Bill Isaef, Sparks Deputy City Manager, urging the Board to adopt this ordinance. Barbara McKinsey, representing the City of Reno, and Mike Reed, Sierra Pacific Power Company, also supported adoption of the ordinance.

There being no one else wishing to speak, the hearing was closed.

Commissioner Bradhurst pointed out that the funds collected under this ordinance are to be used for water planning purposes only.

Section 7, paragraph 7, was briefly discussed whereby the Board may waive collection of the 1.5 percent fee under certain circumstances.

Legal Counsel Madelyn Shipman pointed out that there have been some minor clerical changes to the ordinance since it was introduced.

Commissioner Mouliot stated that he does not want to see studies overlapping with the \$1-million sewer study.

On motion by Commissioner Bradhurst, seconded by Commissioner Sims, which motion duly carried, Chairman Shaw ordered that amended Ordinance No. 935, Bill No. 1110, entitled, "An Ordinance amending Chapter 40 of the Washoe County Code providing for the establishment of a Water Planning Commission; defining the region for the purposes of water management; imposing a fee of 1.5 percent on billings to customers of water suppliers within the region; providing definitions, providing for both voting and

non-voting membership on the Water Planning Commission; voting requirements; review of water plan by Board and Regional Planning Commission; and providing other matters properly relating thereto," be approved, adopted and published in accordance with NRS 244.100.

95-831 SUGGESTED LIST OF WATER PURVEYORS SUBJECT TO AND EXEMPTED FROM THE 1.5 PERCENT FEE

Steve Walker, Water Management Planner, provided background information as outlined in his August 29, 1995, memorandum; and stated that the northern boundary of the concept that has been established excludes Empire, Gerlach and the area north of the Pyramid Lake, which coincides with the Regional Water Supply and Quality Study.

Mike DeMartini, representing Reno Park Water Company in Cold Springs Valley, stated that Cold Springs Valley is approximately 35 square miles; that as far as he knows not a drop of water that falls within that valley gets into the rest of the County; that it is a closed basin and any water or sewer problems would be wholly contained in that valley; and that the Company feels the tax money should stay in that valley and be used for that valley. He further stated the typical water bill out there is about \$20.00 per month and the tax would amount to about 30-cents, which would cost more than that to collect. Mr. DeMartini also stated that the Public Service Commission will have to approve this.

Rebecca Willis, Treasurer of Steamboat Springs Water Works, stated that their concerns are the same as Mr. DeMartini's regarding the burden of collecting such a tax for the small water companies.

Mr. Walker stated that staff did take into consideration the size of water companies and the funds generated noting that a cut-off had to be established.

Commissioner Bradhurst asked for the rationale in determining what systems should be exempt noting that Skyline Mobile Village, a community water system with 303 connections, is recommended for exemption while Mt. Rose Bowl, a private water company with 15 customers, is not. Mr. Walker stated that most of the recommended exemptions are mobile home parks where the water fees are included in the space rent and not individually billed to the tenants. Commissioner Bradhurst read Section 7, paragraph 7, of the Ordinance, stating that the provision has been established for being excluded from the fee, but he believes that purveyors need to apply for exclusion and present their case to the Board.

Commissioner Sims asked if applying for exemption will be an on-going process. Legal Counsel Madelyn Shipman explained that the Ordinance was drafted with the idea that there would be the opportunity to apply for exemption because it was known in advance that there are circumstances where collecting the tax would be cost prohibitive to some of the water purveyors; that any water purveyor can apply for exemption at any time and the Board will have to determine whether or not to exempt them; and that her assumption is that the applications will come in at the beginning of the process, otherwise they will have to start charging the fee.

Commissioner Bradhurst noted that the fee is to commence October 1st and suggested that any purveyors seeking to be exempted could appear before the Board on September 26, 1995.

County Manager John MacIntyre suggested that staff also work with Sierra Pacific Power Company and some of the small water companies to determine exactly what process is required by the Public Service Commission (PSC) to begin charging the fee. Commissioner Sims agreed stating that the County should be very active in educating and assisting the water purveyors with the PSC issues and the ordinance requirements.

Commissioner Mouliot asked if the mobile home parks considered for exemption are on meters or have a base rate according to the number of spaces noting that a lot of customers are being exempted and that these parks usually have swimming pools, Laundromat's, etc. Mike Reed, Sierra Pacific Power Company, stated it depends on who they get the water from and how it is delivered; that if they receive their water from Sierra, they will be charged; and that if they are on a private well, that would be a legitimate concern.

In regard to the PSC issue, Mr. Reed advised that the PSC was very involved in the legislation and knew about the fee; and that he thinks an advice letter to the PSC telling them that the Ordinance has been adopted and how the fee will be collected might suffice.

Mr. Walker advised that from the information he obtained from the State Health Department, he was under the impression that these trailer parks are on individual private wells and that he will double check his list against Sierra's list and follow through on this.

Mary Henderson, Government Affairs Director, stated that she and Sierra have already begun working with the water purveyors in assisting them to implement the fee, including preparing and printing the letter for the purveyors to send to their customers.

Commissioner Bradhurst stated that he is not comfortable with exempting these large trailer parks without more information. Following further discussion, on motion by Commissioner Bradhurst, seconded by Commissioner Sims, which motion duly carried, Chairman Shaw ordered that the water purveyors listed in Mr. Walker's memorandum dated August 29, 1995, as suppliers of water from which the 1.5 percent water fee would be collected to support water planning and management required under the provision of Senate Bill 489 and Ordinance No. 935 be approved. It was also ordered that staff further investigate the list of proposed exempted water purveyors and report back to the Board with their findings as to whether they are on private wells, how individuals are charged, etc., by the September 26th meeting.

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Commissioner Sims temporarily left the meeting.

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95-832 WAIVER OF CONFLICT OF INTEREST IN PROPOSED LITIGATION TO DETERMINE ACCESS RIGHTS TO OPHIR CREEK HEADGATE - DISTRICT ATTORNEY

Upon recommendation of John Rhodes, Deputy District Attorney, on motion by Commissioner Mouliot, seconded by Commissioner Bradhurst, which motion duly carried, it was ordered that a Waiver of Conflict of Interest in relation to proposed litigation to determine access rights to Ophir Creek Headgate be approved and Chairman Shaw be authorized to execute.

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Commissioner Sims returned to the meeting.

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95-833 AWARD OF BID - PRECINCT BASED OPTICAL SCAN ELECTION VOTING SYSTEM - RFP NO. 1824-95 - REGISTRAR OF VOTERS - APPEAL OF UNSUCCESSFUL PROPOSER

This was the time to consider award of bid for RFP 1824-95, a precinct based optical scan election voting system for the Registrar of Voters, Notice to Bidders for receipt of sealed proposals having been published in the Reno Gazette-Journal on April 26, 1995. Proof was made that due and legal Notice to Bidders had been given.

The following vendors submitted proposals which were evaluated by a committee comprised of Marlene Henderson and Donna Cardinelli, Registrar of Voters Office, Gary Goelitz from the Finance Division, Val Young from MIS, and Mike Sullens from Purchasing:

- Global Election Systems
- Business Records Corp.
- American Information Systems

Unilect Corporation submitted a "no bid" response.

Mike Sullens, Purchasing Department, reviewed background information and stated that the recommendation of the committee to accept the proposal of Global Election Systems for a precinct based optical scan voting system is based on the facts that: (1) Global's system most closely meets the requirements and specifications set forth in the RFP and their system was the only one offered with built-in modems and backup batteries, (2) the equipment offered by Global is currently certified by the Nevada Secretary of State for use in Nevada and has been used successfully in conducting elections in other jurisdictions, and (3) it is the opinion of the evaluation committee that Global has offered the County the lowest, responsive, responsible bid. He further stated that as far as Global's financial status, staff has determined that there is no basis for disqualification; and that, in an effort to alleviate any concern, Global has agreed to post a 100 percent performance bond for delivery and acceptance of their equipment, to an installment payment plan that will be tied to the successful conduct of the 1996 elections, and to placing the source code in an escrow account. Mr. Sullens then answered questions of the Board and, in response to Commissioner Bradhurst, stated that the importance of having the source code is that if this should fail, MIS can support the software if they have the source code; and he detailed the installment payment plan.

Joe Teggard, Business Records Corporation, stated that his company is appealing the recommendation made by the evaluation committee and distributed additional written material which lists the specific reasons for the appeal. He cited certain specifications in the Request for Proposals alleging that Global does not meet certain of the required specifications; that the software has not been tried and tested; and that the financial status of Global should be of grave concern to the County. Mr. Teggard also stated that there is no reason to purchase this equipment at this time as there will be no election to conduct until July, 1996; and further, that if the Board is concerned about maintaining price integrity, he will guarantee that BRC will make an optical scan voting system available to Washoe County in accordance with the RFP at the same price.

In response to Commissioner Bond, Mr. Sullens stated that Global's equipment is "tried and true;" that Global has made some enhancements to the equipment; that that is not in violation of the RFP; and that it is not unusual for vendors to make improvements to software and change technology.

Commissioner Bond also asked what impacts could occur if the purchase was delayed. Gary Goelitz, Finance Division, explained that the Registrar of Voters wishes to test the equipment during the March, 1996, presidential preference mail-in election and not during the September and November, 1996, primary and general elections; and that the March election is an ideal opportunity for testing new election equipment. Mr. Goelitz also provided information about other jurisdictions that Global has served and stated that when the Comptroller's office reviewed Global's financial status and recommended that the purchase be delayed, they had not been given all the information.

Ned Eyre disclosed that he was a registered lobbyist for BRC but stated that he is also a concerned Washoe County citizen, and cautioned the Board that financial statements can be interpreted differently. He stated that he believes Global is not in sound financial condition and that it would be very risky to award the contract to them.

Howard Van Pelt, President of Global Election Systems, stated that he wants to set the record straight about his company's financial condition; reviewed the financial status year-by-year noting that they showed profits in both of their first two years in business; and stated that his is a very healthy company, noting that in the third year he made the decision to re-invest the profit back into the company. He stated that they have built the best technology and products in the industry; that they are the fastest growing company in the industry, so they have also invested in more support personnel for their customers; that the County will be making a very safe purchase; and that his staff will be here to ensure that Washoe County receives the best product and the best service in the election equipment industry.

Following further discussion, on motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that:

1. The proposal for a precinct based optical scan voting system, RFP 1824-95, on behalf of the Washoe County Registrar of Voters, from the lowest, responsive and responsible proposer, Global Election Systems, in the amount of \$592,650.00, which includes fourteen (14) additional Accu-Vote units at \$4,450.00 each per the requirements of the Registrar of Voters, be accepted.

2. The proposal from Election Data Direct, Inc., to provide 1200 new Poll Star III Voting Booths, 240 handicap booth adapters, 1440 voting booth lights and personalized screen printing on the booths to include new voting procedure instructions in exchange for the County's old Votamatic punch card equipment, voting booths, templates and assorted voting supplies no longer needed by the Registrar of Voters, in the estimated value of \$113,880.00, be accepted.

3. The Purchasing and Contract Administrator be authorized to execute an agreement for the precinct based optical scan voting system with Global Election Systems subject to successful acceptance and configuration testing by the County and including the requirement for both a faithful performance bond in the amount of 100 percent of the total cost of the system, and that the source code for the software be put into a County- controlled escrow account.

4. The following deferred payment program offered by Global Elections System as further good faith guarantee for the performance of their equipment and their commitment to its support be accepted:

- 50% due upon acceptance of the equipment by the County
- 10% due upon successful completion of the March '96 election
- 10% due upon successful completion of the September 96 election
- Balance of 30% due upon successful completion of the November 96 election.

95-834 RESOLUTION AND NOTICE OF INTENT TO SELL COUNTY PROPERTY

Upon recommendation of James Gale, Senior Property Agent, through Craig McConnell, Public Works Director, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, it was ordered that:

1. The following offers to purchase County property be accepted:

- A) From Sierra Pacific Power Company for APN 012-350-63 for the appraised value of \$500.00 plus expenses.
- B) From David M. Rumsey for APN 071-140-11 for the appraised value of \$4,000.00 plus expenses.
- C) From Ed and Sue Egyed for APN 074-231-01 for the appraised value of \$4,100.00 plus expenses.

2. Chairman Shaw be authorized to sign the following Resolution and Notice of Intent to Sell County Property and the placement of the Resolution once per week for two weeks in the Reno Gazette-Journal, as required by NRS 244.282, be authorized.

3. A public hearing be scheduled for 9:30 a.m. on Tuesday, October 17, 1995, to open any other sealed bids received, as required by NRS 244.282.

4. Chairman Shaw be authorized to sign the Quitclaim Deeds and Resolution selling the property to the highest bidder (at or above the appraised value) when presented.

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RESOLUTION AND NOTICE OF INTENT TO SELL COUNTY PROPERTY

WHEREAS, Washoe County is the owner of the following described properties:

Parcel One

Assessor's Parcel Number 012-350-63 being a 35,196 sq.ft. parcel located at the end of Longley Lane at McCarran Blvd. within the NW 1/4 of Section 21, T19N, R20E, MDBM.

Parcel Two

Assessor's Parcel Number 071-140-11 is a 40 acre parcel located in the Smoke Creek Desert area within the NW 1/4 of Section 9, T32N, R21E, MDBM.

Parcel Three

Assessor's Parcel Number 074-231-01 is a 20 acre parcel located in the Flanigan Area within the NW 1/4 of Section 23, T28N, R18E, MDBM.

WHEREAS, pursuant to NRS 244.281 the County of Washoe has the power to sell the subject properties; and

WHEREAS, Washoe County has received written offers to purchase the properties at their appraised values being \$500.00 for parcel one, \$4,000.00 for parcel two and \$4,100.00 for parcel three.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY that Washoe County will accept additional offers to purchase the properties through James R. Gale, Senior Property Agent at P.O. Box 11130, Reno, Nevada, 89520 or at a public hearing of the Board of Washoe County Commissioners scheduled for 9:30 a.m. on Tuesday, October 17, 1995.

95-835 RESOLUTION - LANDSCAPING TREATMENT ON NEW I-580 FREEWAY IN SOUTH TRUCKEE MEADOWS

Upon recommendation of Mike Harper, Director, Department of Development Review, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Shaw be authorized to execute on behalf of Washoe County:

A RESOLUTION URGING THE NEVADA DEPARTMENT OF TRANSPORTATION TO LANDSCAPE THE I-580 RIGHT-OF-WAY AND ITS INTERCHANGES IN THE SOUTH TRUCKEE MEADOWS AREA

WHEREAS, Washoe County has an interest in preserving the scenic corridor along Mt. Rose Highway; and

WHEREAS, U.S. Highway 395 and I-580 are gateways to the Truckee Meadows and its surrounding communities; and

WHEREAS, Landscaping creates a transitional interface between incompatible land uses such as highway traffic and residential developments by providing buffering and screening; and

WHEREAS, The provision of landscaping creates an aesthetically pleasing and functional living environment that protects and enhances property values, reduces erosion, and prevents weed proliferation and dust pollution; and

WHEREAS, Landscaping minimizes the expansive appearance of the highway and aids in the abatement of noise, heat, dust and glare; and

WHEREAS, The planting of trees and shrubs creates visual interest, variety and harmony and provides contrast and relief from the built environment; and

WHEREAS, Landscaping enhances community appearance, and promotes, preserves and protects aesthetic appeal, character and value of the surrounding neighborhoods and community; and

WHEREAS, The Design Review Committee has the expertise and desire to provide their professional services to facilitate the

landscaping of the South Truckee Meadows transportation corridor area; and

WHEREAS, Washoe County is committed to providing assistance and is available to the Nevada Department of Transportation in addressing this issue;

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Board of Commissioners urges the Nevada Department of Transportation to work in a cooperative effort with the Design Review Committee in developing the landscaping treatments along I-580, including all interchanges, in the South Truckee Meadows area.

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It was further ordered at the request of Commissioner Sims that staff bring regular status reports to the Board regarding progress on this issue.

95-836 BILL NO. 1111 - ADOPTS SUPPLEMENT NO. 6 TO THE WASHOE COUNTY CODE

Bill No. 1111, entitled "An Ordinance adopting Supplement Number 6 to the Washoe County Code and all clerical and technical corrections made therein" was introduced by Commissioner Bradhurst, the title read to the Board and legal notice for final action of adoption was directed.

95-837 BILL NO. 1112 - AMENDING WCC CHAPTER 5 - COUNTY OFFICERS AND EMPLOYEES TRAVEL REGULATIONS

Bill No. 1112, entitled "An Ordinance amending the Washoe County Code by revising the travel regulations pertaining to County officers and employees; and other matters properly relating thereto" was introduced by Commissioner Bradhurst, the title read to the Board and legal notice for final action of adoption was directed.

Legal Counsel Madelyn Shipman noted for the record that the Board was given a new version of this Ordinance at this meeting.

95-838 INTERLOCAL AGREEMENT - CITIES OF RENO SPARKS - CONSOLIDATED NARCOTICS UNIT - DISTRICT ATTORNEY SHERIFF

Upon recommendation of Margaret Crowley, Deputy District Attorney, on motion by Commissioner Bradhurst, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that an interlocal agreement between Washoe County (Sheriff and District Attorney), the City of Reno (Police Department), and the City of Sparks (Police Department) concerning cooperation in investigating and prosecuting crimes involving the use, sale and transportation of controlled substances, power, authority and membership of the Consolidated Narcotics Unit (CNU) Board of Directors, provisions for wages and benefits of officers assigned to CNU, policies and procedures followed by CNU, and how liability claims and lawsuits against CNU will be handled, be approved and Chairman Shaw authorized to execute.

95-839 INTERLOCAL COOPERATIVE AGREEMENT - ADDITIONS TO FY96 STREET AND HIGHWAY PROGRAM - REGIONAL TRANSPORTATION COMMISSION

Upon recommendation of Derek Morse, Engineering Manager, Regional Transportation Commission, on motion by Commissioner Mouliot, seconded by Commissioner Bradhurst, which motion duly carried, it was ordered that an interlocal cooperative agreement between the Board of Commissioners of Washoe County, the City Council of Reno, the City Council of Sparks, and the Regional Transportation Commission concerning design of four projects which are additions to the Fiscal Year 1996 Street and Highway Program be approved and Chairman Shaw authorized to execute on behalf of Washoe County.

95-840 AMENDED AGREEMENT - PROJECT RESTART - HOMELESS RESOURCE CENTER SERVICES - HUMAN SERVICE CONSORTIUM

Upon recommendation of Michael McMahon, Human Service Coordinator, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the amended agreement between the County of Washoe and Project ReStart, Inc., designating funding to be used for administration and management of grants that strengthen and develop the continuum of care

for the homeless in the Truckee Meadows be approved and Chairman Shaw be authorized to execute.

95-841 PURCHASE OF 2.0 ACRE PARCEL AND EXISTING WELL IN LEMMON VALLEY FROM DON C. TURNEY - APN 080-180-10 - PUBLIC WORKS

Pursuant to discussion at Caucus, Paul Orphan, Utility Division, distributed a map showing the location of the well site and surrounding land uses, which he described. He also stated that he had the department hydrologist run a model using the worst case scenario; and that with continuous pumping at 300 gpm., the model predicted a 10-foot drawdown of the nearest domestic well. He stated that this well was drilled back in the 1970's, but the developer did not have any water rights, so it has never been used. In response to Commissioner Bond, Mr. Orphan stated that the County has existing water rights on the Lemmon Valley system that they will move to this well.

Commissioner Bradhurst expressed concern about finalizing this purchase without first having the State Engineer's approval on transferring the water rights. Jim Gale, Senior Property Agent, stated that the property owner, Don Turney, has executed the agreement for the sale to Washoe County and has agreed to the purchase price; and that he does not foresee a problem if the Board chooses to wait until the State Engineer approves transfer of the water rights.

Following further discussion, on motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, it was ordered that an agreement and deed between Washoe County and Don C. Turney concerning purchase of a 2.0-acre parcel and existing well in Lemmon Valley be approved and Chairman Shaw be authorized to execute subject to receiving approval from the State Engineer to transfer the water rights.

95-842 GRANT OF ANCHOR EASEMENT - SIERRA PACIFIC POWER COMPANY - PUBLIC WORKS

Upon recommendation of James Gale, Senior Property Agent, through Craig McConnell, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Bradhurst, which motion duly carried, it was ordered that a Grant of Anchor Easement from Washoe County to Sierra Pacific Power Company be approved and Chairman Shaw authorized to execute. It was noted that this anchor easement is on County property in the Spanish Springs park but not within the improved area of the park.

95-843 POLICY STATEMENT - STRATEGY FOR HOMELESSNESS - HUMAN SERVICE COORDINATOR

Upon recommendation of Mike McMahon, Human Service Coordinator, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following policy statement supporting the continuum of care strategy for homeless persons/families be adopted and that staff be directed to deliver a copy of the policy statement to the Cities of Reno and Sparks:

POLICY STATEMENT

The Board of County Commissioners commit to the ongoing support, as listed below, of a continuum of care strategy for homeless and very low income individuals and families in the region. This strategy is premised on personal responsibility and requires the establishment of an accountable tracking system, performance outcomes, coordination of services, and private sector assistance. Further, we encourage a balanced approach, by involved parties, in the provision of emergency services, the development of transitional housing, and expansion of permanent affordable housing.

Homeless Resource Center	\$100,000.00
Drop-in Center	\$ 50,000.00
Family Case Management	\$ 10,000.00
Alternative Sentencing Program	\$ 30,000.00
CPC/Detox	\$ 50,000.00
Truckee Meadows Fair Housing	\$ 17,000.00

On motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that Chairman Shaw be authorized to execute correspondence to the Reno-Sparks Indian Tribal Council regarding Washoe County's support of the use of Bureau of Land Management Land for a public airport in the Spanish Springs Valley.

95-845 AWARD OF BID - "A FUEL STORAGE SYSTEM REPLACEMENT FOR WASHOE COUNTY, PHASE 4" - PUBLIC WORKS

This was the time to consider award of bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on June 1 and 8, 1995, for "A Fuel Storage System Replacement for Washoe County, Phase 4" for the Public Works Department. Proof was made that due and legal Notice to Bidders had been given.

Upon recommendation of David Price, County Engineer, through Craig McConnell, Public Works Director, on motion by Commissioner Bradhurst, seconded by Commissioner Bond, which motion duly carried, it was ordered that the bid for subject contract be awarded to R. Kent Sweet Construction in the amount of \$130,750.00 and that Chairman Shaw be authorized to execute the contract documents upon presentation.

95-846 AWARD OF BID - WADSWORTH WATER SYSTEM PHASE 2A IMPROVEMENTS - UTILITY DIVISION

This was the time to consider award of bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on July 31, August 7, 11, 17, and 22, 1995, for Wadsworth Water System Phase 2A Improvements for the Utility Division. Proof was made that due and legal Notice to Bidders had been given.

The following is a summary of the bid results:

Engineer's Estimate	\$184,200.00
Dossey Construction Excavating	\$174,341.35
Mike's Trenching, Inc.	\$192,846.00
Interstate Utility Constructors	\$231,504.00

Commissioner Bradhurst inquired as to the status of the water rights that are proposed to be sold to finance this project, and he was advised that that decision has not been made yet and no water rights have been sold.

Commissioner Sims asked if the Board has established a policy for using water rights in this manner and was advised that it has not. Commissioner Sims moved to deny the request until resolution of a policy.

Commissioner Bradhurst asked about the customer base, stating that he thought it was larger than 35 and that increasing the rates would be a way to secure funds to repay this. Paul Orphan, Utility Division, stated that he believes the customer base is at last twice that; that the rate right now is a flat rate of \$12.00 per month; that all the new services are metered; and that this is primarily used for irrigation water. Commissioner Bradhurst asked if this needs to be done for health and safety purposes.

Mr. Orphan responded that that is one of the reasons.

Commissioner Mouliot stated that he will second the motion to deny this request until the funding issues are resolved.

Commissioner Bradhurst stated that the funding should be decided and this should be brought back to the Board as soon as possible. Mr. Orphan also stated that another reason this needs to be done is that the current system is so bad that the water leaks out of the pipes before it gets where it's going and the County did commit to repairing the system.

Following additional discussion, Chairman Shaw asked Commissioners Sims and Mouliot if they would like to change their motion to continue this item to the September 26th meeting at which time staff can provide more information.

They stated that they would. On motion by Commissioner Sims, seconded by Commissioner Mouliot, which motion duly carried, Chairman Shaw ordered that award of the construction contract for the Wadsworth Water System Phase 2A be continued to the September 26, 1995, meeting and that staff be directed to present a report to the Board detailing the history of this project and showing all possible funding options for the Board to consider.

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There being no further business to come before the Board, the meeting adjourned at 11:35 p.m.

JAMES M. SHAW, Chairman
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk